

RESOLUTION NO. 2010-25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS IN
OPPOSITION TO PROPOSITION 19**

WHEREAS, local autonomy and authority is paramount to a city's ability to effectively serve its residents; and

WHEREAS, public safety is a core value and central purpose of city government; and

WHEREAS, marijuana is prohibited by the federal government and the Federal Controlled Substances Abuse Act provides criminal sanctions for various activities related to marijuana; and

WHEREAS, the implementation of the statewide legalization of medicinal marijuana use has serious flaws and should be reexamined for its value; and

WHEREAS, Proposition 19, also known as the "Regulate, Control and Tax Cannabis Act of 2010" on the November 2, 2010, California state ballot would expand legal marijuana possession for persons age 21 and over and also permit the cultivation, transportation, and consumption of marijuana on a statewide basis; and

WHEREAS, cities and counties would be authorized under Proposition 19 to tax the sale of marijuana based on locally adopted ordinances; and

WHEREAS, changes to land use policies allowing for marijuana cultivation under Prop 19 could infringe on local governments zoning and regulatory authority; and

WHEREAS, the language of Proposition 19 is broad and uses vague terminology, which makes the poorly drafted sections subject to additional litigation and conflict over interpretation; and

WHEREAS, one such provision of Proposition 19 could prevent private and public employers from complying with federal drug-free workplace rules, jeopardizing federal funding eligibility for California-based employers; and

WHEREAS, the public safety risks associated with the proliferation of marijuana cultivation, possession, and consumption far outweigh any revenue generating benefit that local governments could realize through taxing the sale of marijuana; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Biggs hereby opposes Proposition 19 on the November 2, 2010, California state ballot.

I HEREBY CERTIFY that the foregoing **RESOLUTION** was duly introduced, passed and adopted at a regular meeting of the City Council of the City of Biggs, held on the 18th day of October, 2010 by the following vote:

AYES: Council Members: Thompson, Frith, Arnold, Bottorff & Crawford

NOES: Council Members: _____

ABSENT: Council Members: _____

ABSTAIN: Council Members: _____

ATTEST:

Roben Dewsnup
Roben Dewsnup, CITY CLERK

Roger L. Frith
Roger L. Frith, MAYOR